

### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 7-10 are pending in this application, Claim 1 having been presently amended; and Claims 8-10 having been added. Support for amended Claim 1 can be found, for example, in the original claims, drawings, and specification as originally filed.<sup>1</sup> No new matter has been added.

In the outstanding Office Action, Claims 1-3 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nishigaki (U.S. Patent No. 7,009,722) and Hiroshi (JP 2000-032241) in view of Guest et al. (U.S. Publication No. 2002/0191832; hereinafter “Guest”); and Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nishigaki, Hiroshi, and Guest further in view of Kato (U.S. Publication No. 2001/0012397).

In response to the rejections under 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of the rejection and traverse the rejection as discussed next.

Independent Claim 1 is directed to an image processing apparatus including, *inter alia*:

... a data format converter configured to convert the first data format of the image data to a second data format being a general data format which can be read by a general data format converter including general image processing functions, the data format converter including

***at least one multinary data resolution converter configured to convert multinary data including more than two bits and to determine a desired resolution range and to perform resolution conversion on the image data stored in the image storage unit, which is multinary image data, at a***

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<sup>1</sup> See page 8, lines 6-21 of the specification.

***conversion rate such that resolution of the image data as a base of conversion and a resolution after the conversion fall into said desired resolution range, and***

a binary resolution converter configured to perform resolution conversion on the binary image data....

Page 4 of the outstanding Office Action acknowledges that Nishigaki and Hiroshi “do not disclose at least one multinary data resolution converter configured to convert multinary data including more than two bits and to determine a desired resolution range.” In an attempt to cure the above-noted deficiencies of Nishigaki and Hiroshi, the Office Action cites Guest.

Guest is directed to a system for processing image data, such as an image of a die cut from a silicon wafer, the system includes an irregular edge detection system, which can locate edge data of a feature of the image data, such as the edge of a probe mark in a bond pad.<sup>2</sup> However, Guest fails to teach or suggest “at least one multinary data resolution converter configured to convert multinary data including more than two bits and to determine a desired resolution range and to perform resolution conversion on the image data stored in the image storage unit, which is multinary image data, at a conversion rate such that resolution of the image data as a base of conversion and a resolution after the conversion fall into said desired resolution range,” as recited in Claim 1.

Page 4 of the outstanding Office Action states that paragraph [0020] of Guest describes the above features. Applicants respectfully disagree. Paragraph [0020] of Guest states:

System 100 includes camera 102. Camera 102 receives image data from a predetermined field, and converts the image data into digital data. In one exemplary embodiment, camera 102 generates a bitmap array of picture elements ("pixels")

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<sup>2</sup> See Guest at paragraph [0007].

having a brightness value that ranges from 0 to 255. Camera 102 converts the image data into digital data according to a predetermined ratio. In this exemplary embodiment, camera 102 can convert a 5 mmx5 mm. square field into a 1,000x1,000 pixel array, where each pixel thus has dimensions of 5.times.5 microns.

Thus, Guest describes that the camera 102 converts the image data into digital data according to a ***predetermined ratio***. However, Guest does not describe that the image data is multinary image data. In addition, Guest does not describe that camera 102 converts the image data into at a ***conversion rate*** such that resolution of the image data as a base of conversion and a resolution after the conversion ***fall into the desired resolution range***. Guest is silent as to a desired resolution range.

Accordingly, Applicants submit that Claim 1 (and all claims depending thereon) patentably distinguishes over the references and respectfully request the rejections under 35 U.S.C. § 103(a) be withdrawn.

In order to vary the scope of protection recited in the claims, new Claims 8-10 are added. New Claims 8-10 find non-limiting support in the disclosure as originally filed, for example at page 16, lines 3-15; page 18, lines 9-19; and page 26, line 24 to page 27, line 10.

Therefore, the changes to the claims are not believed to raise a question of new matter.<sup>3</sup>

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<sup>3</sup> See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

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Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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